

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: February 17, 2016
Hearing Time: 1:00 p.m.
Hearing Location:
Kitsap County Courthouse
614 Division St.
Port Orchard, WA 98366
Response Date: February 10, 2016

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

RYAN B RITTER and
EMILY I RITTER ,
Debtor(s).

IN CHAPTER 13 PROCEEDING
NO. 14-14107-CMA

MOTION FOR POST-CONFIRMATION
MODIFICATION OF PLAN

K. Michael Fitzgerald, Chapter 13 Trustee, moves to modify the debtors' Chapter 13 plan as follows:

The debtors filed this case on May 28, 2014. The debtors' confirmed Chapter 13 plan, filed August 26, 2014, provides for monthly plan payments of \$1,905.00 and a term of no less than 60 months. The debtors are current on the plan payments. The filed unsecured claims total \$90,761.13. The debtor's plan proposed to not pay their projected disposable income.

At any time after confirmation but before completion of payments under the plan, the Trustee may move to modify the plan to increase or reduce the amount of payments on claims of a particular class provided for by the plan, extend or reduce the time for such payments, or alter the amount of distribution to a creditor whose claim is provided for by the plan. 11 U.S.C. § 1329(a); Powers v. Savage (In re Powers), 202 B.R. 618 (B.A.P. 9th Cir. 1996).

When the Debtors' case was filed Mrs. Ritter was not working. Based on the financial documents submitted to the Trustee, Mrs. Ritter is now employed. The Trustee has received two paystubs for Mrs. Ritter for October and November 2015. October appears to be when she began employment. The November paystub includes gross income of \$1,075.68.

MOTION FOR POST-CONFIRMATION
MODIFICATION OF PLAN - 1

Chapter 13 Trustee
600 University St. #2200
Seattle, WA 98101-4100
(206) 624-5124 FAX 624-5282

1 Based on the current paystubs provided, and the Schedule I provided, the debtor Mr.
2 Ritter's income appears to have increased to approximately \$12,642.50 gross and \$9,830.00 net
3 per month. An increase of approximately \$1,000.00 from their filing date.

4 Based on the income increases alone, the debtors' have approximately \$1,500.00 more net
5 income per month. Furthermore, the debtors' have increased their monthly expenses from an
6 already generous \$7,015.00 per month to \$8,105.00 per month.

7 The Trustee requests that the debtors' plan be modified to provide that debtors must
8 increase their plan payment to \$3,405.00 per month starting March 1, 2016. The Trustee reserves
9 the right to assert additional bases for his motion. A proposed order is filed with this motion.

10 WHEREFORE, the Chapter 13 Trustee requests that the Court enter an order modifying
11 the debtors' confirmed plan to provide that, beginning March 1, 2016, the debtors' plan payment
12 will increase to \$3,405.00 per month.

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14 Dated this 8th day of January, 2016

15 /s/ John E. Barton, WSBA #45529 for

16 K. MICHAEL FITZGERALD

17 Chapter 13 Trustee
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